

From: Ken Beyer
To: Microsoft ATR
Date: 1/23/02 8:12am
Subject: Microsoft Settlement

I am writing this email to voice my opinion under the Tunney Act about the proposed Microsoft Settlement.

I feel the settlement is a disgrace to American business and free competition as a whole, and will result in Microsoft returning to their ways of being monopolistic and to crushing competitive threats and open ideas.

I feel the company should have been penalized harsher and should have been split up, and even some executives should have served some jail time. Microsoft must open it's APIs to all developers well in advance of major releases of their operating systems and development tools. By not doing so, they clearly have an unfair advantage to develop superior products in advance of competitors as well as allowing businesses they so choose to have the same advantages. The free market, not Microsoft, should be able to decide the fate of emerging technologies.

As I read the settlement (note that I'm not a lawyer, nor do I have 20 hours to wade through 100's of pages of documents), I also feel that there are no provisions in place to closely monitor Microsoft from returning to their ways. I feel that there should be people dedicated to this effort - to watch them like a hawk, so unfair practices don't return.

For what it's worth, I went on an interview at MicroWarehouse, and I asked why they deploy all their server stuff on Microsoft. They said because Microsoft gives them freebies to use, and why should they not take advantage of that rather than go buy stuff from Sun, HP, etc. They said that if they help push Microsoft products, they get the kickbacks. This little tidbit I learned, along with having to buy a PC with Microsoft products bundled on it has very much annoyed me!! Then there's the whole squashing of Netscape, and other strong tactics of buying up competitive threats.

It's quite annoying to see Microsoft basically get off "scott free" with this settlement. But more importantly, I envision that over time the world will continue to be Microsoft dominated and will control innovations through continued strong-arm tactics and illegal/crafty partnerships. America deserves better than that ... we deserve to have open and fair competition in the software marketplace.

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